

# 01-11-05

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT EXAMINING OPERATION

### REQUEST TO WITHDRAW AS ATTORNEYS

**Applicant** 

John M. Levin 10/600, 512
See attached Appendix

Serial No. and Filing Date:

Confirmation No.

03000

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd, (Customer No. 03000), the attorneys of record for John M. Levin (hereinafter referred to as "Applicant"), respectfully request permission to withdraw as counsel.

This request is based on the fact that Applicant has not attended to its financial responsibilities toward Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd., (hereinafter referred to as "the firm") with reference to the legal services performed on Applicant's behalf in connection with pending patent applications which are included in the Appendix attached to this letter.

On information and belief, all financial matters for the Applicant, John M. Levin, presently are being handled by Ann-Marie Levin, wife of John Levin.

In a letter to Ann-Marie Levin dated February 4, 2004, it was stated that unless the Applicant's account with the firm was paid in full, no further action would be taken in connection with any of the pending matters of Applicant, which included applications identified in the Appendix to this letter. No payment was received.

In a subsequent telephone conference over a month ago between Martin L. Faigus and Ann-Marie Levin, the undersigned Martin L. Faigus stated that unless the outstanding balance due on the open statements was paid, Applicant's counsel would seek to withdraw its representation of Applicant in all pending matters. Ann-Marie Levin stated that she did not have the funds to pay the outstanding balance.

No payment has been received to this date.

Applicant has complete files on the applications listed in the attached Appendix. Copies of the applications were sent to Applicant, at the time of filing, and copies of all papers filed in or received from the PTO have been sent to Applicant. Moreover, on January 16, 2004, an "Urgent Client Docket" was sent to the applicant listing all matters that were coming due in the year 2004.



In view of the foregoing, the undersigned attorneys request that they be

permitted to withdraw as counsel to the Applicant.

Respectfully submitted, CAESAR, RIVISE, BERNSTEIN, COHEN & POKOTILOW, LTD.

August 12, 2004

Please charge or credit our Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission. Martin L. Faigus

Registration No. 24,364

Customer No. 03000

(215) 567-2010

Attorneys for Applicants

# **CERTIFICATE OF MAILING**

I hereby certify that the foregoing REQUEST TO WITHDRAW AS ATTORNEYS is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 12 day of August, 2004.

Martin L. Faigus

#### **CERTIFICATE OF SERVICE**

I hereby certify that one (1) true and correct copy of the foregoing REQUEST TO WITHDRAW AS ATTORNEYS has been served on the Applicant by mailing the same by Federal Express (Tracking No. 7907 3099 6445), postage prepaid, to:

John M. Levin 819 Chauncey Road Narberth, PA 19072

this  $\underline{/2}$  day of August 2004.

Martin L. Faigus



#### **APPENDIX**

Application No.

10/403,563

Filing Date

Mach 31, 2003

Title

Micro-Serrated Surgical Scissors

Confirmation No.

4058

**Attorney Docket** 

L1030/20158

Application No.

09/862,275

Filing Date

May 22, 2001

Title

Insulated Dissector With Cauterizing and Cutting Tip

Confirmation No.

7256

Attorney Docket

L1030/20139

Application No.

10/600,512

Filing Date

June 20, 2003

Title

Prosthesis For Internal Peritoneal Dialysis and Method of

**Providing Peritoneal Dialysis** 

Confirmation No.

8670

Attorney Docket

L1030/20172

Application No.

10/145,484

Filing Date

May 14, 2002

Title

Fan Retractor

Confirmation No.

8287

Attorney Docket

L1030/20154

Application No.

10/260,166

Filing Date

September 30, 2002

Title

Bandage Including Perforated Gel

Confirmation No.

8276

Attorney Docket

L1030/20168

Application No.

10/154,718

Filing Date

May 24, 2002

Title

Differential Diameter Laparoscopic/Thorascopic Instruments

Confirmation No.

2454

**Attorney Docket** 

L1030/20156

Application No.

10/365,895

Filing Date

February 12, 2003

Title

Insulated Surgical Scissors Including Cauterizing Tip

Confirmation No.

8941

**Attorney Docket** 

L1030/20171

Application No.

10/371,015

Filing Date

February 20, 2003

Title

Laparoscopic/Thorascopic Insertion Caps

Confirmation No.

9568

Attorney Docket

L1030/20170



App. Serial No.:	See attached Appendix
First Inventor:	Levin, John M.
Filing Date:	see attached Appendix
Title of Invention:	see attached Appendix
Group Art Unit:	
Examiner Name:	
Confirmation No:	see attached Appendix
Atty. Docket No.:	L1030 - see Appendix

The PTO stamp upon this cand acknowledges the receipt of the following items regarding the matter identified above: Request To Withdraw as Attorneys and Appendix

AUS 1 5 2004

dk

Date Mailed: August 12, 2004